REMARKS

Claims 1-36 are pending, of which claims 1, 12, and 24 are independent method claims and claims 27 and 29 are independent computer program product claims corresponding to method claims 24 and 1, respectively. As indicated above, claims 24, 27, and 28 have been amended by this paper.

The Office Action objected to dependent claims 2-11, 13-23, 25-28, and 30-36 because each claim begins with the phrase "A method . . ." or "A computer program product" as opposed to the phrase "The method. . ." or "The computer program product" which the Office Action asserts should be used for clarity. Applicants respectfully disagree. The selection of the phrase "A method" or "A computer program product" is largely a matter of style, but is also entirely clear since each dependent claim defines a new claim that includes any further limitations recited in the dependent claim. Applicants note in particular the similar style for dependent claims used as examples in section 608.01(n) of the MPEP. Accordingly, Applicants respectfully submit that the objections of record for the dependent claims are improper and should be withdrawn.

The Office Action rejected claim 27 under 35 U.S.C. § 101 as being directed to nonstatutory subject matter because the claim failed to recited a computer readable medium and therefore is not tangibly embodied. Although Applicants disagree with the Examiner's assessment that a computer program product is not tangibly embodied, Applicants have nevertheless amended claim 27 to recite one or more computer readable media in an effort to advance prosecution. Accordingly, Applicants respectfully that the rejection of claim 27 under 35 U.S.C. § 101 has been overcome and should be withdrawn.

The Office Action rejected claims 1-36 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,473,609 to Schwartz et al. ("*Schwartz*").[1]

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131. That is, "for anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly." MPEP § 706.02. Applicants also note that "[i]n determining that quantum of prior art disclosure which is necessary to declare an applicant's

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[1]Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to do so in the future. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status or asserted teachings of the cited art.

invention 'not novel' or 'anticipated' within section 102, the stated test is whether a reference contains an 'enabling disclosure.'" MPEP § 2121.01. In other words, a cited reference must be enabled with respect to each claim limitation. During examination, the pending claims are given their broadest reasonable interpretation, *i.e.*, they are interpreted as broadly as their terms reasonably allow, consistent with the specification. MPEP §§ 2111 & 2111.01.

Applicants' invention, as claimed for example in independent method claim 1 relates to obtaining transformed content from a mobile gateway so that the transformed content may be sent to at least one mobile client. The method comprises receiving content at a mobile gateway and applying a first transform to the content, thereby creating a first transformed content, the first transform specifically considering one or more operating characteristics of at least one mobile client. The method further comprises storing the first transformed content in a mobile gateway cache, and requesting the content from the mobile gateway cache, wherein the request includes a first transform identifier. In response to the request for content, the method returns the first transformed content. Independent claim 29 recites similar limitations from the perspective of a computer program product.

Applicants' invention, as claimed for example in independent method claim 12 also relates to obtaining transformed content from a mobile gateway so that the transformed content may be sent to at least one mobile client. The method comprises caching content in a mobile gateway cache and transforming the content according to a first transform, thereby creating a first transformed content, wherein the first transform is based on one or more operating characteristics of at least one mobile client. The method further comprises adding the first transformed content to the mobile gateway cache and querying the mobile gateway cache for the content, the query including a first transform identifier. In response to the query for content, the method provides the first transformed content.

Similarly, Applicants' invention, as claimed for example in independent method claim 24 relates to a method of storing transformed content at a mobile gateway so that the transformed content may be sent to at least one mobile client. The method comprises receiving content at a mobile gateway and applying a first transform to the content, thereby creating a first transformed content, the first transform specifically considering one or more operating characteristics of at least one mobile client. The method further comprises storing the first transformed content at the mobile gateway, wherein the first transformed content is identified by a first transform identifier,

and associating, at the mobile gateway, the first transform identifier with one or more clients so that when the mobile gateway receives a request to send the content to the one or more clients, the mobile gateway can identify and send the first transformed content in response to the request. Independent claim 27 simply recites a computer program product for performing the acts recited in independent method claim 24.

In rejecting independent claims 1, 12, 24, 27, and 29, the Office Action asserts that *Schwartz* discloses storing or adding first transformed content to a mobile gateway cache and returning or providing the first transformed content in response to a request or query for the content. To support this assertion, the Office Action refers to Figures 1 and 6; column 4, lines 5-8 column 11, lines 42-48; column 12, lines 62-63; column 13, lines 2-36; and column 17, lines 12-15. Applicants respectfully disagree.

Schwartz discloses that a mobile device communicates with a network server via link server device. Col. 11, ll. 4-6. The link server receives Handheld Device Markup Language ("HDML") files from a content source, such as a financial network server, and converts the HDML files into a smaller stream of screen commands expressed as screen description data ("SDD"). Col. 9, ll. 1-62.

Although Applicants acknowledge that *Schwartz* discloses a cache 612 in connection with Figure 6, there is no teaching or suggestion that the cache includes anything other than content received from the content source. There is no teaching or suggestion in *Schwartz* to cache transformed content. For example, column 13, lines 32-36 state that "[c]ontrol engine 609 calls [message processor 610] to retrieve the next card from the received HDML deck, preferably, cached in a memory in the link server and converts the card in HDML to a SDD file that is subsequently delivered to mobile device 602." In other words, the HDML or source content is cached (not the transformed SDD file), converted to SDD, and delivered to the mobile device.

Similarly, in describing Figure 7D, *Schwartz* disclose the following:

> In FIG. 7D, there is shown a new screen display 718. Typically, it is from one of the cards in a new deck received in the link server as a result of the request from screen display 716 [shown in Figure 7C]. The [HDML] deck is cached in the link server and the first choice card is converted to a SDD file that is rendered by the interface engine in the mobile device for display. If the user proceeds with any of the items, for example, "Local News", a request is made from the interface engine in the mobile device and received by the corresponding control engine in

the link server. The control engine causes <u>the message processor to retrieve a card identified by the request from the cache and convert the card to a SDD file</u> and forwards the file to the mobile device for display.

Col. 17, ll. 3-15 (emphasis added). Again, Applicants note that *Schwartz* caches the source content, not the transformed content.

As Applicants' Specification explains, this distinction is not trivial:

> Using traditional caching techniques, the mobile device must ask for the customized version of the content because a request for the content itself would require transforming the content before sending it to the mobile device, and repeating the customization for each request is likely to impose significant processing overhead. To realize any significant benefit from [traditional] caching, the mobile device should request the customized version of the content rather than the content itself.
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> However, it is undesirable for mobile devices to request customized content for at least two reasons. First, the customized content may not exist. For example, if the content is new and has not been requested previously, the content may not have been added to the cache. Alternatively, the customized content may have been removed from a cache based on comparatively infrequent requests. Whatever the reason, at some point in time it is very likely that the customized content will not be available in the cache, leading to what is known to those of skill in the art as a cache miss. In traditional caching, cache misses are a normal and expected part of cache operation. When a cache miss occurs, the request is redirected to the system responsible for storing the content. In the case of customized content, this requires storing a permanent version of the customized content so that cache misses may be redirected to the permanent version. Obviously, by requiring a permanent version, all content that will be accessible to a mobile device should be customized prior to offering access to the mobile device. In other words, a complete copy of the content, customized for the mobile device, should be created to implement traditional caching.
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> A further problem with mobile devices specifically requesting customized content is that it precludes the customization from being transparent to the mobile devices. Rather than requesting content and allowing the source to determine how the content should be altered for a particular device, the device requests the content that the device believes is best suited for its operating characteristics. As new or enhanced ways of customizing content become available, the mobile device must be configured so that subsequent requests are directed to the new or enhanced content.

Specification, p. 5. l. 14 – p. 6, l. 16.

There is nothing in *Schwartz* to indicate that *Schwartz* uses any caching whatsoever with respect to transformed content, or that *Schwartz* has solved or addresses any of the problems noted in Applicants' Specification with respect to the use of traditional caching for transformed

content. In fact *Schwartz's* disclosure of caching source content, but not transformed content, suggests that *Schwartz* fails to solve or address those problems. Moreover, *Schwartz* certainly is not enabled with respect to the claimed features of Applicants' invention, specifically as recited in independent claims 1, 12, 24, 27, and 29. Accordingly, *Schwartz* fails to teach or suggest every aspect of the Applicants' claimed invention, and therefore the rejection of independent claims 1, 12, 24, 27, and 29 under 35 U.S.C. § 102(e) has been overcome and should be withdrawn.

Based on at least the foregoing reasons, Applicants respectfully submit that the cited prior art fails to anticipate or make obvious Applicants invention, as claimed for example in independent claims 1, 12, 24, 27, and 29. Applicants note for the record that the remarks above render the remaining rejections of record for the independent and dependent claims moot, and thus addressing individual rejections or assertion with respect to the teachings of the cited art is unnecessary at the present time, but may be undertaken in the future if necessary or desirable, and Applicants reserve the right to do so. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 18th day of August, 2004.

Respectfully submitted,

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